Remarks

Reconsideration of this Application is respectfully requested.

Claims 1-14 are pending in the application, with 1 and 14 being the independent claims. Claims 15-26 were previously cancelled. Claims 27-39 are sought to be amended. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Claim Objections

The Examiner has maintained the objection of claims 27-39 for using the term "means" where "no structure is disclosed for performing the recited functions." *See* final Office Action of September 27, 2007, page 2.

Although Applicants disagree with the objection, Applicants have nevertheless amended claims 27-39 by the above amendment in order expedite prosecution. Applicants submit that this Amendment After Final Rejection only addresses formal matters raised in the previous final Office Action dated September 27, 2007. Accordingly, Applicants are entitled to entry of this Amendment as a matter of right under 37 C.F.R. §1.116 (b)(1).

Claim 27 has been amended to expressly recite the means within the claim language. Specifically, claim 27 has been amended to include "computer control logic means" for performing the recited claim functions. Computer control logic (i.e., a

computer program) encompasses the Examiners suggestion of amending independent

claim 27 to recite "instructions" as providing means for the recited claim functions, and

finds support within the current specification at paragraphs [0191]-[0200]. Claims 28-

39, which depend from claim 27, have been similarly amended.

Accordingly, Applicants respectfully request that the objection to claims 27-39

be withdrawn.

Rejections under 35 U.S.C. § 102

The Examiner has maintained the rejection of claims 1, 4, 5, 10-14 and 27 under

35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,600,744 to Carr *et al.*

(hereinafter "Carr"). For the reasons set forth below, Applicants respectfully traverse.

In the final Office Action, the Examiner asserted that Carr taught all of the

elements of independent claims 1, 14, and 27. In particular, the Examiner stated that

Carr taught the generation of a header that identifies the location of one or more

predefined fields **in a data packet** when present, as recited in independent claims 1, 14,

and 27 of the present application. *See* final Office Action of September 27, 2007, page

4. In the reply filed November 27, 2007, Applicants provided arguments distinguishing

independent claims 1, 14, and 27 from Carr with respect to at least this feature. In the

Advisory Action of December 5, 2007, the Examiner countered these arguments by

asserting:

> The disclosures cited from Carr show that generation of a "key" is based
> upon assessing and processing the parameters contained in the header of
> the data packet (column 1, lines 42-50). Further, Carr specifically
> discloses how those header parameters are used in classification of the
> packet, including the storing and tracking of the header parameters and
> utilizing them for packet classification, including storing the parameters in

a memory array and accessing the parameters when needed during the
classification process (see the cited figures and disclosures in the claim
rejections). Applicant's subsequent arguments all refer back to this
alleged deficiency in Carr. Therefore, the claim rejections are proper.

To the extent these statements can be understood, Applicants respectfully disagree with

the Examiner and note that the Examiner still fails to specifically disclose where in Carr

the alleged anticipatory teaching is found.

The Examiner continues to equate the "key" of Carr with the header of claims 1,

14, and 27. In the Advisory Action, the Examiner states that, in Carr, the "generation of

a key is based upon assessing and processing the parameters contained in the header of

the data packet." Even if we assume, for the sake of argument, that this statement is true,

it has no relevance to the distinguishing feature of claims 1, 14, and 27 noted above.

Regardless of whether the "key" of Carr is generated from the "assessing and

processing" of parameters contained in the header of a data packet, the "key" still does

not identify a location of one or more predefined fields in a data packet, as required by

claims 1, 14, and 27.

In the subsequent statements of the Advisory Action, the Examiner continues to

make statements that are irrelevant to the distinguishing feature of claims 1, 14, and 27

noted above. Specifically, the Examiner states:

> Further, Carr specifically discloses how those header parameters are used
> in classification of the packet, including the storing and tracking of the
> header parameters and utilizing them for packet classification, including
> storing the parameters in a memory array and accessing the parameters
> when needed during the classification process (see the cited figures and
> disclosures in the claim rejections).

Again, even if the above statements are true, they in no way teach or suggest of a header

that identifies a location of one or more predefined fields in a data packet. Applicants do

not necessarily disagree with the Examiner that, in Carr, the "header parameters are used in classification of the packet, including storing and tracking of the header parameters." However, whether these statements are true is inconsequential.

Applicants reiterate that Carr does not teach or suggest the above noted feature of claims 1, 14, and 27 of the present application and further elaborate on the arguments made in the previous reply of November 27, 2007 below.

The Examiner equates the "key" of Carr with the header of claims 1, 14, and 27. However, Applicants continue to point out, that the "key" of Carr does **not** identify a location of one or more predefined fields in a received data packet. Applicants have reproduced FIG. 1 of Carr below to help elucidate this distinguishing feature.
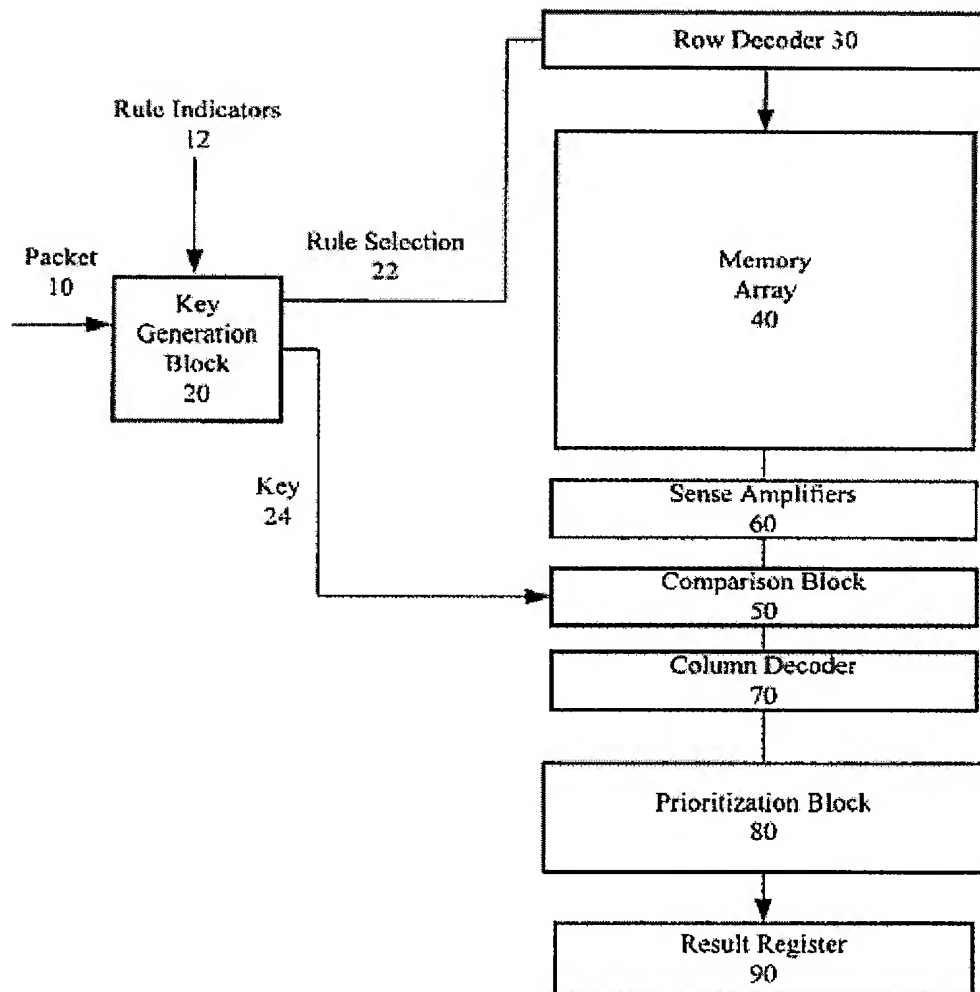
As can been seen from FIG. 1 of Carr, the "key" 24 is generated by the key generation

block 20. Carr discloses that the "key generation block 20 receives the packet 10, or at

least the relevant header information for the packet, and extracts fields from the header to

generate the key." *See* Carr, col. 4, lines 1-3. The "key" 24 is then subsequently passed

to the comparison block 50, and the extracted portions of the packet 10 that make up the

"key" 24 are compared to a "selected set of rules received from the memory array 40."

See Carr, col. 4, lines 10-11.

From the above description, it becomes clear why the "key" of Carr does **not**
identify a location of one or more predefined fields **in a received data packet**. The
"key" of Carr is actually **made up** of extracted fields of the packet 10, unlike the header
of claims 1, 14, and 27 of the present application. As a result, there would be no need for
the "key" of Carr to identify the location of predefined fields in the packet, since the
"key" itself is **made up** of the relevant fields of the packet.

In contrast to the "key" of Carr, the header of claims 1, 14, and 27 identifies the
location of one more predefined fields **in a received data packet** to facilitate "easy
lookup" of the predefined fields in the received data packet, for example. *See* present
Application, paragraph [0072]. As described in the present specification, a header that
stores the location of one or more predefined fields in a received data packet has the
benefit of preventing "the classification system from having to re-calculate the addresses
of the various fields in the data packet during each testing step of the classification
process," increasing the speed and efficiency of the classification system. *See* present
specification, paragraph [0086]. Using the locations stored in the header, the
classification system is able to quickly access relevant, predefined fields from the
received packet for classification purposes. This is in complete contrast to the teachings
of Carr. In fact, after the "key" is generated in Carr, the received packet appears to be no
longer accessed, let alone accessed using locations stored in the "key".

In the event that the Examiner maintains the rejection of independent claims 1,
14, and 27 under 35 U.S.C. § 102(e), Applicants again respectfully request that the
Examiner, in the interests of compact prosecution, identify on the record and with
specificity sufficient to support a case of anticipation, where Carr teaches or suggests a

generated header that includes the location of one or more predefined fields **in the data packet**, as recited in claims 1, 14, and 27. Currently, the Examiner has failed to identify where in Carr the alleged anticipatory teaching is found.

Because Carr does not teach each and every feature of claims 1, 14, and 27 it cannot anticipate these claim. Dependent claims 4, 5, and 10-13 are also not anticipated by Carr for the same reasons as independent claim 1 from which they depend and further in view of their own respective features. Accordingly, Applicants respectfully request that the rejection of claims 1, 4, 5, 10-14, and 27 under 35 U.S.C. § 102(e) be reconsidered and withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 2, 6-9, 28 and 30-39

The Examiner has maintained the rejection of claims 2, 6-9, 16, 20-23, 28 and 30-39 under 35 U.S.C. § 103(a) as being unpatentable over Carr in view of Synnestvedt.

Synnestvedt does not in any way remedy the deficiencies of Carr with respect to independent claims 1 and 27 as discussed above. Consequently, the combination of Carr and Synnestvedt cannot render independent claims 1 and 27 obvious. Claims 2 and 6-9 are not rendered the obvious by the combination of Carr and Synnestvedt for the same reason as independent claim 1, from which they depend, and further in view of their own respective features. Claims 28 and 30-39 are not rendered obvious by the combination of Carr and Synnestvedt for the same reason as independent claim 27, from which they depend, and further in view of their own respective features. In view of the foregoing,

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Applicants respectfully request that the rejection of claims 2, 6-9, 28 and 30-39 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claim 3

The Examiner has also maintained the rejection of claim 3 under 35 U.S.C. § 103(a) as being unpatentable over Carr in view of U.S. Patent No. 6,570,884 to Connery *et al.* ("Connery).

Connery does not in any way remedy the deficiencies of Carr with respect to independent claim 1 as discussed above. Consequently, the combination of Carr and Connery cannot render independent claim 1 obvious. Claim 3 is not rendered the obvious by the combination of Carr and Connery for the same reason as independent claim 1 from which it depends and further in view of its own respective features. In view of the foregoing, Applicants respectfully request that the rejection of claim 3 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

Claim 29

The Examiner has maintained the rejection of claim 29 under 35 U.S.C. § 103(a) as being unpatentable over Carr in view of Synnestvedt and further in view of Connery.

Neither Synnestvedt nor Connery in any way remedy the deficiencies of Carr with respect to independent claim 27 as discussed above. Consequently, the combination of Carr, Synnestvedt and Connery cannot render independent claims 27 obvious. Claim 29 is not rendered the obvious by the combination of Carr and Connery for the same reasons as independent claim 27 from which it depends and further in view of its own respective features. In view of the foregoing, Applicants respectfully request that the rejection of claim 29 under 35 U.S.C. § 103(a) be reconsidered and withdrawn.
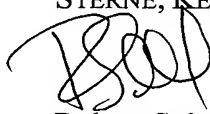
Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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